

Notice of Allowability	Application No.	Applicant(s)	
	09/904,987	DOUGLAS ET AL.	
	Examiner	Art Unit	
	Samuel W Liu	1653	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to Papers filed 5-9-03 and 9-9-03.
2. The allowed claim(s) is/are 18-20,22-36 and 38-46.
3. The drawings filed on 12 July 2001 are accepted by the Examiner.
4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some* c) None of the:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

5. Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 - (a) The translation of the foreign language provisional application has been received.
6. Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

7. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. CORRECTED DRAWINGS must be submitted.
 - (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) hereto or 2) to Paper No. _____.
 - (b) including changes required by the proposed drawing correction filed _____, which has been approved by the Examiner.
 - (c) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet.

9. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

<input type="checkbox"/> Notice of References Cited (PTO-892)	<input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
<input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	<input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____.
<input type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. _____.	<input checked="" type="checkbox"/> Examiner's Amendment/Comment
<input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material	<input type="checkbox"/> Examiner's Statement of Reasons for Allowance
	<input type="checkbox"/> Other

DETAILED ACTION

This Office action is in response to (i) applicants' amendments filed 9 September 2003 which cancels claims 21 and 37; and (ii) applicants' amendment filed 9 May 2003 which cancels claims 1-17 and 47-48, and amnds claims 18-46. The amendments indicated above have been entered.

The pending claims 18-20, 22-36 and 38-46 are therefore examined in this Office action.

EXAMINER'S AMENDMENT

An Examiner's Amendment to the record appears below. Should the change and/or additions be unacceptable to Applicant, an amendment may be filed as provided by 37 C.F.R. § 1.312. To ensure consideration of such an amendment, it MUST be submitted no latter than payment of the Issue Fee.

Amendments to the specification:

In page 1, replace the first paragraph with the following:

This is a continuation-in-part of U.S. Patent Application No. 09677500 filed October 2, 2000, which is a continuation-in-part of U.S. Patent Application No. 09/657554, filed September 8, 2000 (now U.S. Patent No. 6579891), a continuation-in-part of U.S. Patent Application No. 09/657989, filed September 8, 2000 (now U.S. Patent No. 6410570), and a continuation-in-part of U.S. Patent Application No. 09/127620 filed August 1, 1998 (now U.S. Patent No. 6127393), which is now U.S. Patent No. 6127393, which is a continuation-in-part of U.S. Patent Application No. 08/843157, filed April 11, 1997, now abandoned, which is a continuation-in-part of U.S. Patent Application No. 08/581351 filed December 29, 1995 (now U.S. Patent No. 5767135), which claims priority to U.S. Provisional Patent Application No. 60/024221, filed October 22, 1996 and to U.S. Provisional Patent Application No. 60/026992, filed September 20, 1996.

In page 1, line 29, change "Creutzfelds-Jakob" to "Creutzfeldt-Jakob".

In page 12, line 16, add "spectrum" after "ORD or CD".

Conclusion: claims 18-20, 22-36 and 38-46 are allowable over the art of record.

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Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Samuel Wei Liu, Ph.D. whose telephone number is (703) 306-3483. The Examiner can normally be reached daily except alternate Fridays from 8:30 A.M. to 5:30 P.M. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Christopher Low, can be reached at (703) 308-2329. The official fax phone number for Technology Center 1600 is (703) 308-4242.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 1600 receptionist whose telephone number is (703) 308-0196.

SWL
Samuel Wei Liu, Ph.D.

September 25, 2003

Karen Cochrane Carlson
KAREN COCHRANE CARLSON, PH.D.
PRIMARY EXAMINER